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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. D. 4499—*I. & C.* 493-39-2, *dated Bangalore, the 4th April* 1940.

In exercise of the powers vested in them under Section 3 of the Mysore Weights and Measures Act, No. III of 1902, as amended by Act IX of 1927, the Government of His Highness the Maharaja of Mysore are pleased to direct that only certified weights and measures of capacity shall be used in all dealings and contracts within the limits of the following shandy areas in the Tumkur District with effect from the 1st April 1940:—

1. Sira.
2. Kunigal.
3. Madhugiri.

By Order,
C. E. NORONHA,
Secretary to Government,
Development Department.

No. G. 8612—P. H. 48-39-16, dated Bangalore, 6th April 1940.

Under Section 20 of the Mysore Prevention of Adulteration Act, IX of 1921, as amended from time to time, Government are pleased to make the rules issued with Government Notification No. G. 2463—Sany. 61-31-7, dated 2nd September 1931, (annexed hereto) applicable to Sagar Town.

By Order,

C. E. NORONHA,

Secretary to Government,
Development Department.

Rules under the Mysore Prevention of Adulteration Act.

1. In these rules, "Act" means the Mysore Prevention of Adulteration Act, IX of 1921.

"Section" means section of the above Act.

Section 3.—

2. The officer to whom the local executive officer may delegate his powers shall be of the rank of a Health Officer or shall hold the Diploma of Public Health. No legal proceedings under the Act shall be instituted without the permission in writing of the President or the Commissioner, as the case may be.

Section 20 (b).—

3. The area within which the local executive officer of a Municipal Council shall exercise powers shall be the Municipal limits of the place.

Section 20 (c).—

4. *Cleanliness of Vessels.*—All vessels, receptacles or utensils used for manufacturing or preparing food or containing any food intended for sale shall be cleansed with clean boiling water before and after use and shall be kept in a constant state of cleanliness. In case of

food likely to be acted upon by the metal of the vessels, receptacles or utensils in which the food is manufactured, prepared or contained for purposes of sale, precautions shall be taken to prevent such metallic contamination.

Section 20 (d).—

5. *How notice of Admixture, Addition or Deficiency shall be given.*—If the vendor of any article intended for food, knows that it is admixed with any foreign substance whatsoever or that any component part has been abstracted therefrom, he shall give due notice of such admixture or abstraction by means of distinct and clear labels in Kannada or in any other language likely to be read and understood by the people, affixed conspicuously on each package or receptacle containing the article. Unless the vendor of any food containing an admixture, addition or deficiency, knows of his own knowledge, that the purchaser is able to read and understand the label, he shall give the purchaser the information contained in the label by word of mouth at the time of purchase.

Section 20 (e).—

6. The standards of purity prescribed for milk cream, butter and ghee are as follows:—

Milk.—

Cow's Milk.—(1) Where a sample of cow's milk (not being sold as skimmed or separated milk), contains less than three per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(2) When a sample of cow's milk or any skimmed or separated cow's milk contains less than 8·5 per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved that the milk is not genuine by reason of the addition thereto of water.

(3) When a sample of cow's milk, whether sold as cow's milk or as skimmed or separated cow's milk contains less than 0·5 per cent of nitrogen, it shall be presumed for

the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

Buffalo Milk.—(4) Where a sample of buffalo milk (not being sold as skimmed or separated milk), contains less than 4·5 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(5) Where a sample of buffalo milk, whether sold as buffalo milk, or as skimmed or separated buffalo milk, contains less than nine per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

(6) Where a sample of buffalo milk, whether sold as buffalo milk or as skimmed or separated buffalo milk, contains less than 0·53 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

N. B.—The minimum limits for nitrogen prescribed above under (3) and (6) are intended to be used in those cases in which a sample of milk when it is analysed, is so far decomposed that an estimation of the proportion of milk-solids other than milk-fat in the sample before decomposition will be unreliable, the proportion of nitrogen not being appreciably affected by decomposition.

Unspecified Milk.—(7) Where a sample of milk, separated milk or skimmed milk, is sold or offered for sale or hawked about, without any indication as to whether it is derived from the cow or the buffalo and by comparison with the minimum limits given for the cow's milk in the above, it appears to be adulterated, it shall be presumed for the purposes of this Act, until the contrary be proved that the sample is not genuine for the reason given in the above rule or rules which are applicable.

Maximum limit for dirt in Milk.—(8) Where a sample of milk separated or skimmed milk deposits on standing for a period of 24 hours or less, an amount of visible sediment exceeding five parts per 100,000 (both milk and sediment being measured by volume), it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of its containing an excessive amount of dirt.

Cream.—(9) Where a sample of cream contains less than 20 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine.

Butter.—(10) Where the proportion of water in a sample of butter exceeds 20 per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the butter is not genuine by reason of the excessive amount of water therein.

Ghee.—(11) Where the proportion of water in a sample of ghee exceeds one per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the ghee is not genuine by reason of the excessive amount of water therein.

Section 20 (f).—

7. (1) No person shall add water or any dried or condensed milk or any fluid reconstituted therefrom or any skimmed milk or separated milk to milk intended for sale, and no person shall, by himself or by any servant or agent, sell or offer for sale or hawk about, any milk to which any such addition has been made.

(2) No person shall abstract any ingredient from milk, without giving due notice of the same, in an unambiguous manner, of the fact of such abstraction therefrom, as prescribed in rules under Section 20 (*d*).

(3) No person either by himself or any servant or agent, shall sell or offer for sale or hawk about, as milk, any liquid in the making of which dried milk or condensed milk has been used or to which water or other diluent or adulterant has been added or from which any ingredient has been abstracted, without due notice of the same to the purchaser as prescribed in rule under Section 20 (*d*).

Section 20 (g).—

8. Any receptacle containing dried, condensed, skimmed or separated milk shall be labelled with an adhesive label which shall contain the information and be of the size indicated below. The information shall be in black type, printed or written in the centre of the label, which shall be of white colour. Nothing else shall be printed or written on the label, except the name of the article. The label shall be clearly visible to the purchaser and shall

measure at least 2″ × 4″ where only Kannada is used or at least 4″ × 4″ where more than one language is employed.

Section 20 (h).—

9. (1) Any person taking a sample of milk for the purposes of this Act may add a preservative for the purpose of retaining the sample in a condition convenient for analytical purposes.

(2) The preservative used shall be the liquid commonly known as "formalin" which is a liquid containing about 40 per cent of formaldehyde in aqueous solution.

(3) The amount of preservative added shall be approximately in proportion of one drop of formalin for every 2 oz. of the sample of milk.

(4) Each sample of milk to which formalin has been added by the person taking the sample shall bear a notification on the label to the effect that it has been "artificially preserved."

(5) For the purposes of this rule, milk includes skimmed and separated milk.

10. *Penalty for breach of Rules.*—Every manufacturer or dealer or vendor who—(*a*) disobeys, fails to comply with or acts in contravention of the provisions made under Rule 4 herein, in respect of cleanliness of vessels, receptacles or utensils used for manufacturing, preparing or containing any food intended for sale, or (*b*) neglects to affix labels to notify in the manner prescribed, the fact of the admixture of foreign ingredients in the case of adulterated articles of food or abstraction of any component part therefrom of any article of food, or (*c*) fails to give the purchaser, in cases mentioned in Rule 5, information contained in such lables by word of mouth at the time of purchase, or (*d*) manufactures, deals in or sells milk, cream, butter or ghee below the standard prescribed in Rule 6 above shall, on conviction before a Magistrate, be punished with a fine not exceeding Rs. 50 and with a fine which may extend to Rs. 50 for every subsequent offence.

No. P. 6544—*Legis.* 19-39-13, *dated Bangalore,*
2nd April 1940.

In exercise of the powers conferred by Section 3 of the Mysore Foreigners Act, 1940, the Government of His Highness the Maharaja are pleased to declare that all Foreigners Orders from time to time issued in British India under the Foreigners Act, 1940, (Act No. II of 1940), shall apply to Mysore *mutatis mutandis.*

No. P. 6545—*Legis.* 19-39-14, *dated Bangalore,*
the 2nd April 1940.

The following Notifications of the Government of India making certain amendments to the Enemy Foreigners Order, 1939, is republished for general information.

By Order,

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

HOME DEPARTMENT.

Notification.

POLITICAL (W)
the 20th February 1940.

No. 62/2/40.—In exercise of the powers conferred by Section 3 of the Foreigners Ordinance, 1939, the Central Government is pleased to direct that the following further amendment shall be made in the Enemy Foreigners Order, 1939, namely:—

In clause (*b*) of sub-paragraph (2) of paragraph 3-A of the said Order, for the letters and figures "Rs. 1,500;" the following shall be substituted, namely—

"Rs. 150, with the addition thereto of Rs. 50 in respect of each child travelling with the enemy foreigner."

H. J. Frampton,
Deputy Secretary to the
Government of India.

the 29th February 1940.

No. 62/10/40.—In exercise of the powers conferred by Section 3 of the Foreigners Act (II of 1940), the Central Government is pleased to direct that the following further amendment shall be made in the Enemy Foreigners Order, 1939, namely,—

For paragraph 3 of the said Order the following paragraph shall be substituted, namely :—

Restrictions on departure from British India.

"3 (1) No enemy foreigner shall depart from British India for a destination outside India except in accordance with the conditions of a permit issued—

(*a*) in relation to an enemy foreigner of the male sex who has attained the age of sixteen years, by the Central Government ; or

(*b*) in relation to any other enemy foreigner, by the civil authority having jurisdiction over the port from which the enemy foreigner leaves British India.

(2) No enemy foreigner shall depart from British India for a destination outside India across the external land frontiers of India.

(3) No enemy foreigner shall depart from British India by sea except at the port of Bombay :

Provided that, if his destination lies to the north of Latitude 15°S and east of Longitude 75°E, an enemy foreigner may also embark at the port of Calcutta."

H. J. Frampton,
Deputy Secretary to the
Government of India.